



PATENT

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE
ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313-1450

June 28, 2004
Amrita J. Halo
SIGNATURE

6/28/2004
DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : John J. Berenz et al.
Serial No. : 09/621,772
Filing Date : July 21, 2000
For : APPLICATION OF HUMAN FACIAL
FEATURES RECOGNITION TO
AUTOMOBILE SECURITY AND
CONVENIENCE
Group Art Unit : 2621
Examiner : Hussein Akhavannik
Attorney Docket No. : TRW(TE)6546

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION OF PRIOR
INVENTION PURSUANT TO 37 C.F.R. §1.131**

Sir,

We, John J. Berenz, George W. McIver, Joseph W. Niesen, Barry Dunbridge,
and Gregory A. Shreve, declare that:

(1) We are the inventors of the invention described and claimed in U.S.
Patent Application Serial No. 09/621,772, entitled "Application of Human Facial
Features Recognition to Automobile Security and Convenience," filed July 21, 2000.

(2) Prior to June 3, 2000, We conceived, in this country, the invention described and claimed in U.S. Patent Application Serial No. 09/621,772 and, particularly, the invention claimed in currently pending claim 23.

(3) As evidenced by the letter attached as Exhibit A, prior to June 3, 2000 and within a period of less than four months prior to the filing date of the present patent application, U.S. Patent Application Serial No. 09/621,772, the Invention Disclosure, in which the invention of the present patent application was described, was sent to counsel for preparation of a patent application. The Invention Disclosure which relates to the present patent application was indicated as Docket No. 12-1134 and was sent to counsel with five other invention disclosures.

(4) As evidenced by the letter attached as Exhibit B, a first draft of the patent application of the present invention was sent from counsel to TRW within a period of less than three months from the date that the Invention Disclosure was sent to counsel for preparation of the patent application. The first draft of the patent application included specification, claims, and drawings.

(5) As evidenced by the facsimile cover sheet attached as Exhibit C, the first draft of the patent application was forwarded to the inventors for review immediately upon being received by TRW.

(6) As evidenced by the e-mail attached as Exhibit D, the inventor's changes and revisions to the first draft of the patent application were sent to counsel two days after the inventor's received the first draft of the patent application.

(7) As evidenced by the letter attached as Exhibit E, the patent application was revised and a revised draft of the patent application was sent to TRW three days after the inventor's changes and revisions were sent to counsel.

(8) As evidenced by the facsimile cover sheet attached as Exhibit F, the revised draft of the patent application was forwarded to the inventors for review one day after receipt of the revised draft by TRW.

(9) As evidenced by the e-mail attached as Exhibit G, the inventor's provided additional changes to counsel one day after receiving the revised draft of the patent application.

(10) U.S. Patent Application Serial No. 09/621,772, which was filed on July 21, 2000, was filed less than two weeks after the e-mail message of Exhibit G was sent to counsel.

(11) The activities set forth above in paragraphs 2-10 occurred in the United States of America.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issued thereon.

Respectfully submitted,

DATE

John J. Berenz

DATE

George W. McIver

June 24, 2004
DATE

Joseph W. Niesen
Joseph W. Niesen

DATE

Barry Dunbridge

DATE

Gregory A. Shreve

TAROLLI, SUNDHEIM, COVELL,
& TUMMINO L.L.P.
526 Superior Avenue, Suite 1111
Cleveland, Ohio 44114-1400
Phone: (216) 621-2234
Fax: (216) 621-4072
Customer No.: 26,294